

## **REMARKS**

Claims 1, 5-8, 10, 14-19 and 21-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Alcott (US 6,324,273) in view of Panizzon et al. (US 4,219,700) and further in view of Majmudar et al. (US 4,897,866). Applicants respectfully traverse.

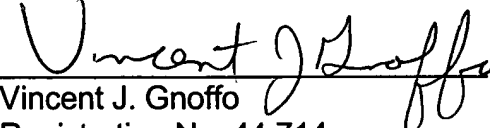
The Office Action relies on a combination of three references to reject the claims. Alcott discloses a system for providing a network enabled platform for customers to directly order, provision and establish subscription telecommunication service products using touchtone keys. Abstract. Panizzon et al. discloses a station set interface circuit for connection to a multi-party line for prohibiting connection of a party line subscriber's set to the party line if the line is in use. After the subscriber's handset is replaced on the station set, the telephone can be rung once the call in progress has terminated. Col. 2, ll. 48-54. Mujmudar et al. discloses an arrangement for allowing a subscriber to select telephone features from the subscriber terminal. Abstract.

None of the references, alone or in combination, disclose or suggest at least the claimed acts for handling an upgraded telecommunications network. The Office Action is correct that neither Alcott nor Majmudar et al. disclose or suggest at least that a telephone service subscriber, after inquiring for a telecommunication feature that was unavailable for the subscriber, and after processing the availability of the feature, was informed that the feature had become available to the subscriber. The Office Action is incorrect with its position that the partyline subscriber interface circuit of Panizzon et al. does teach such features. See e.g. Office Action page 3. Panizzon discloses that if a called telephone line is busy when a caller makes a call, and the caller hangs up, the caller's telephone can be rung once the called telephone line is idle. Col. 2, ll. 48-54. The disclosure of Panizzon et al. is inapposite, however, with regard to the claimed "telecommunication network" and "telecommunication feature". In the context of the whole claim, the "telecommunication feature" relates to an

"upgrade" in the "telecommunication network". As claimed, "a portion of the telecommunication network which serves the first party" is "upgraded". Moreover, "in accordance with upgrading the portion of the telecommunication network which serves the first party", "availability data" is inputted "which indicates an availability of the first telecommunication feature to the portion of the telecommunication network which serves the first party". The read Panizzon et al. to disclose acts related to the claimed "telecommunication network" being "upgraded" with the claimed "telecommunication feature" would be to ignore the context of the telecommunication feature with regard to the remainder of the claim. The Office Action is inappropriately "picking and choosing among isolated disclosures in the prior art" to arrive at the claimed invention. See *In re Fritch*, 23 USPQ2d 1780, 1784 (Fed. Cir. 1992). Indeed, none of the references, alone or in combination, disclose or suggest the handling of a "telecommunication feature" for an "upgraded" "telecommunication network" as claimed.

For at least these reasons, Applicant respectfully requests reconsideration and allowance of the present application. The Examiner is invited to contact the undersigned attorney at (312) 321-4224 if there are any outstanding issues that could be resolved through a telephone conference.

Respectfully submitted,

  
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